

Day, Berry & Howard LLP

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FILED
DISTRICT CLERK'S OFFICE
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
APR 7 2005

April 7, 2005

BY HAND

Civil Clerk's Office
United State District Court for
the District of Massachusetts
John Joseph Moakley U.S. Courthouse
One Courthouse Way
Boston, MA 02210

Re: Sensitech Inc. and Donald W. Berrian v. Time 'N Temperature Company
U.S.D.C. No. 04-11438 (MLW)

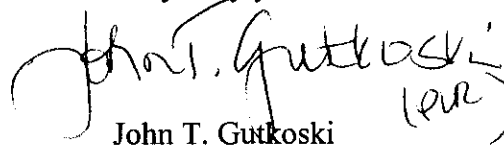
Dear Sir/Madam:

Enclosed for filing in the above-entitled matter is Plaintiffs' Rule 16.1(D)(3) Certification, Exhibit A to the Joint Statement which was filed earlier this week on Monday, April 4, 2005. For your convenience, I have attached another copy of the Joint Statement. I understand that defendant will file its own Certification under separate cover.

Also enclosed for filing is the Appearance of Francis H. Morrison.

Please acknowledge receipt of the within by date-stamping the enclosed copy of this letter and returning it to our messenger. Thank you for your attention to this matter.

Very truly yours,


John T. Gutkoski

JDG/plr
encs.


cc: Thomas C. O'Konski, Esq.


EXHIBIT A

Certification of Consultation Between Counsel and Client

The undersigned counsel and authorized party representative hereby certify pursuant to Local Rule 16.1 (D)(3) they have conferred with a view towards establishing a budget for this matter and considered the possible resolution of this matter through alternative dispute resolutions programs.

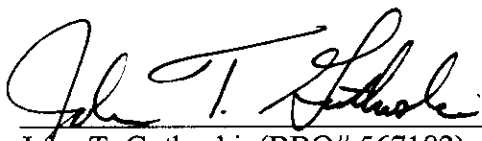
Respectfully submitted,



Eric B. Schultz, CEO
on behalf of Sensitech, Inc.

Donald W. Berrian

their counsel,



John T. Gutkoski (BBO# 567182)
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